

# COTTONWOOD HEIGHTS

## RESOLUTION NO. 2012-37

### A RESOLUTION APPROVING A PERFORMANCE CONTRACT WITH ARGYLE FOR 2012 BUTLERVILLE DAYS

**WHEREAS**, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") met on 10 July 2012 to consider, among other things, approving a "Performance Contract" (the "*Agreement*") with Argyle ("*Contractor*") whereunder the City would engage Contractor to provide a musical performance at the City's 2012 "Butlerville Days" community celebration on the terms and conditions specified in the Agreement; and

**WHEREAS**, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto as an exhibit; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City's entry into the Agreement as proposed;

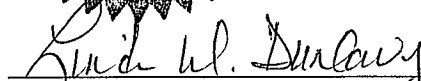
**NOW, THEREFORE, BE IT RESOLVED** by the city council of Cottonwood Heights that the attached Agreement with Contractor is hereby approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

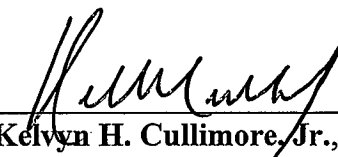
This Resolution, assigned no. 2012-37, shall take effect immediately upon passage.

**PASSED AND APPROVED** this 10<sup>th</sup> day of July 2012.

**COTTONWOOD HEIGHTS CITY COUNCIL**



  
Linda W. Dunlavy, Recorder

By   
Kelvin H. Cullimore, Jr., Mayor

**VOTING:**

Kelvyn H. Cullimore, Jr	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken <i>Absent</i>	Yea <input type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

**DEPOSITED** in the office of the City Recorder this 10<sup>th</sup> day of July 2012.

**RECORDED** this 11 day of July 2012.

581464.1

## Performance Contract


**COTTONWOOD HEIGHTS**, a Utah municipality ("*Client*") hereby hires **DAVID CLINE** d/b/a **Argyle** ("*Artist*") for a performance at **Cottonwood Heights Park** in connection with Client's "Butlerville Days" community event (the "*Event*") on 24 July 2012.

**FOR GOOD AND VALUABLE CONSIDERATION**, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Artist will perform music at the Event for a period of 1 hour (including setup/breakdown), beginning at 6:00 p.m.
2. Artist's performance will specifically consist of original music and some covers, appropriate for a family-oriented, community event.
3. Client will pay Artist Four Hundred Dollars (\$400) as full compensation for the performance, payable via check to the order to David Cline.
4. Setup for the performance will be the responsibility of Client. Artist will provide any equipment specific to Artist's needs.
5. Client will provide additional assistance reasonably requested by Artist at least 24 hours before the Event, such as engineers, setup assistants, etc., if applicable.
6. This contract is made in the state of Utah, and shall be construed and enforced in accordance with the laws of such state.

**DATED** effective 30 June 2012.

**ARTIST:**

  
\_\_\_\_\_  
David Cline d/b/a Argyle

**CLIENT:**

**COTTONWOOD HEIGHTS**, a Utah  
municipality

**ATTEST:**

By: \_\_\_\_\_  
**Linda W. Dunlavy**, Recorder  
580809.1

By: \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr.**, Mayor